

TEMPORARY

NO. 62328

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**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 26 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 08 1996

The applicant Michael B. Stewart, hereby makes application for permission to change the Point of Diversion & Place of Use of water heretofore appropriated under Permit 23493, Certificate 6568

1. The source of water is underground (Well #19)
2. The amount of water to be changed 5.0 CFS, not to exceed 755.2 ac. ft.
3. The water to be used for Irrigation
4. The water heretofore permitted for Irrigation
5. The water is to be diverted at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T.36N., R.23E., M.D.B.&M., or at a point from which the NE corner Section 7, T.35N., R.24E., M.D.B.&M., bears S.77°32'38"E., a distance of 14,726.7 feet.
6. The existing permitted point of diversion is located within Lot 1, Section 2, T.35N., R.23E., M.D.B.&M., or at a point from which the NE corner of said Section 2 bears N.88°E., a distance of 1316 feet.
7. Proposed place of use 40.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$, 38.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T.36N., R.23E., M.D.B.&M. and 14.4 acres Lot 1, 14.4 acres Lot 2, 160 acres SE $\frac{1}{4}$, Section 2 T.35N., R.23E., M.D.B.&M. 308 acres total.
8. Existing place of use 14.4 acres Lot 1, 14.4 acres Lot 2, 160 acres SE $\frac{1}{4}$ Section 2, T.35N., R.23E., M.D.B.&M. 188.8 acres total.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works A drilled and cased well equipped with a motor, pump & pipeline distribution system.
12. Estimated cost of works \$50,000.00
13. Estimated time required to construct works 1 year
14. Estimated time required to complete the application of water to beneficial use 5 years
15. Remarks: Water from this well will be commingled with water from Permit 20165 (Application 62251). The total combined duty of this right and Permit 20165 (Application 62251) shall not exceed 1232.0 acre feet annually. Use map filed under Permit 23493 for existing Point of Diversion.

s/ Greg M. Bilyeu
By Gregory M. Bilyeu - Agent
P.O. Box 21910
Carson City, NV 89721

Compared cl/jk cl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 23493 Certificate 6568 is issued subject to the terms and conditions imposed in said Permit 23493 Certificate 6568 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 23493 Certificate 6568; 20165 Certificate 7258; 62250-T, and 62328-T shall not exceed 1,232.0 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 22, 1997 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.5 cubic feet per second, but not to exceed 755.2 acre-feet, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

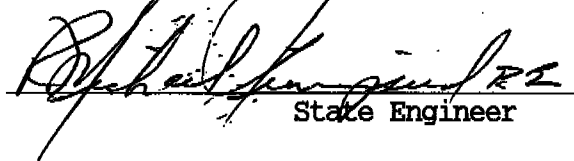
TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of September, A.D. 1996


State Engineer

EXPIRED

DATE JAN 02 1997